

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

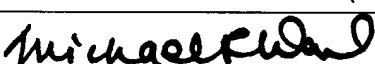
(to be used for all correspondence after initial filing)

| | | | |
|--|---------------------|------------------------|---------------------|
| | | Application Number | 10/701,990 |
| | | Filing Date | November 4, 2003 |
| | | First Named Inventor | Marc K. HELLERSTEIN |
| | | Art Unit | 1641 |
| | | Examiner Name | D. J. Venci |
| Total Number of Pages in This Submission | 6 +16 References | Attorney Docket Number | 416272005200 |

ENCLOSURES (Check all that apply)

| | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1. PTO/SB/08a/b - 2 pages |
| <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental) - 3 pages | <input type="checkbox"/> Request for Refund | 2. 16 References |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | 3. Return Receipt Postcard |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | MORRISON & FOERSTER LLP (Customer No. 20872) | | |
| Signature |  | | |
| Printed name | Michael R. Ward | | |
| Date | January 11, 2006 | Reg. No. | 38,651 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 1/11/06 Signature: Victoria A. Wilson (Victoria A. Wilson)



W
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.
Dated: 1/11/06 Signature: Victor Wilson
(Victoria Wilson)

Patent
Docket No. 416272005200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marc K. HELLERSTEIN

Serial No.: 10/701,990

Filing Date: November 4, 2003

For: DEUTERATED GLUCOSE OR FAT
TOLERANCE TESTS FOR HIGH-
THROUGHPUT MEASUREMENT OF
THE METABOLISM OF SUGARS OR
FATTY ACIDS IN THE BODY

Examiner: D. J. Venci

Group Art Unit: 1641

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. Non-patent literature documents numbered 26 and 27 are pending non-published U.S. patent applications filed after June 30, 2003, and so copies of the specifications are not included herewith. This is in accordance with the *Waiver of the Copy Requirement in 37 CFR 1.98 for Cited Pending U.S. Patent Applications, 1287 O.G. 163 (Oct. 19, 2004)*. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.**
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - A fee is required. A check in the amount of __ is enclosed.
 - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **416272005200**.

Dated: January 11, 2006

Respectfully submitted,

By Michael R. Ward
Michael R. Ward
Registration No.: 38,651
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
(415) 268-6237



| | | | | | |
|------------------------------|---|----|---|-------------------------------------|---------------------|
| Substitute for form 1449/PTO | | | | Complete if Known | |
| | | | | Application Number | 10/701,990 |
| | | | | Filing Date | November 4, 2003 |
| | | | | First Named Inventor | Marc K. HELLERSTEIN |
| | | | | Art Unit | 1641 |
| | | | | Examiner Name | D. J. Venci |
| Sheet | 1 | of | 2 | Attorney Docket Number 416272005200 | |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| 1. | US-4,065,552 | | 12-27-1977 | Costa | |
| 2. | US-4,889,126 | | 12-26-1989 | Doddrell et al. | |
| 3. | US-4,940,658 | | 07-10-1990 | Allen et al. | |
| 4. | US-5,042,488 | | 08-27-1991 | Ackerman | |
| 5. | US-5,209,919 | | 05-11-1993 | Turteltaub et al. | |
| 6. | US-5,317,098 | | 05-31-1994 | Shizuya et al. | |
| 7. | US-5,354,662 | | 10-11-1994 | Stone et al. | |
| 8. | US-5,376,355 | | 12-27-1994 | Turteltaub et al. | |
| 9. | US-5,394,236 | | 02-28-1995 | Murnick | |
| 10. | US-5,506,147 | | 04-09-1996 | Kolhouse et al. | |
| 11. | US-5,597,548 | | 01-28-1997 | Sherry et al. | |
| 12. | US-5,783,445 | | 07-21-1998 | Murnick | |
| 13. | US-6,610,270 | | 08-26-2003 | Ajami | |
| 14. | US-6,625,547 | | 09-23-2003 | Korzeka et al. | |
| 15. | US-6,764,817 | | 07-20-2004 | Schneider | |
| 16. | US-6,783,751 | | 08-31-2004 | Heumann | |
| 17. | US-6,872,575 | | 03-29-2005 | Regnier | |
| 18. | US-6,887,712 | | 05-03-2005 | Medford et al. | |
| 19. | US-2005/0003375 | | 01-06-2005 | Franza et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | |
|--------------------------|-----------------------|---|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | |
| 20. | EP-0826377 | | 11-06-2002 | Tokyo Gas Co., Ltd. | |
| 21. | WO-93/20800 | | 10-28-1993 | Kinnunen | |
| 22. | WO-95/13096 | | 05-18-1995 | Peptide Delivery Systems Pty. Ltd. | |
| 23. | WO-00/13025 | | 03-09-2000 | University of Washington | |
| 24. | WO-00/63683 | | 10-26-2000 | Target Discovery Inc. | |
| 25. | WO-01/84143 | | 11-08-2001 | Thermo Finnigan LLC | |

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

| | | |
|--------------------|--|-----------------|
| Examiner Signature | | Date Considered |
|--------------------|--|-----------------|

sf-2056926



| | | | | | |
|------------------------------|---|----|---|--------------------------|---------------------|
| Substitute for form 1449/PTO | | | | <i>Complete if Known</i> | |
| | | | | Application Number | 10/701,990 |
| | | | | Filing Date | November 4, 2003 |
| | | | | First Named Inventor | Marc K. HELLERSTEIN |
| | | | | Art Unit | 1641 |
| | | | | Examiner Name | D. J. Venci |
| Sheet | 2 | of | 2 | Attorney Docket Number | 416272005200 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|-----------------------|---|--|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | |
| | 26. | Australian Patent Office Search Report mailed August 26, 2005, for Singapore patent application no. SG 200500571-5, filed July 25, 2003, 5 pages | |
| | 27. | COLLINS, Michelle L. et al. (Jan. 31, 2003) "Measurement of mitochondrial DNA synthesis in vivo using a stable isotope-mass spectrometric technique," J Appl Physiol, 94: 2203-2211 | |
| | 28. | HECK, Steven D. et al. (April 1996) "Posttranslational amino acid epimerization: Enzyme-catalyzed isomerization of amino acid residues in peptide chains," Proc. Natl. Acad. Sci. USA, 93(9): 4036-4039 | |
| | 29. | International Search Report mailed August 1, 2005, for PCT application no. PCT/US2005/08265, filed March 11, 2005, 4 pages | |
| | 30. | LUTTON, C. et al. (1990) "Critical analysis of the Use of 14C-acetate for Measuring In Vivo Rat Cholesterol Synthesis," Reprod Nutr Dev, 30: 71-84 | |
| | 31. | OUGUERRAM, K. et al. (Jan. 2002) "A New Labeling Approach Using Stable Isotopes to Study In Vivo Plasma Cholesterol Metabolism in Humans," Metabolism, 51(1): 5-11 | |
| | 32. | PATTERSON, Bruce W. et al. (Aug. 1997) "Measurement of Very Low Stable Isotope Enrichments by Gas Chromatography/Mass Spectrometry: Application to Measurement of Muscle Protein Synthesis," Metabolism, 46(8): 943-948 | |
| | 33. | ROOYACKERS, Olav E. et al. (Oct. 1996) "Tracer Kinetics Are of Limited Value to Measure In Vivo Protein Synthesis and Degradation Rates in Muscle of Anesthetized Rats," Metabolism, 45(10): 1279-1283 | |
| | 34. | SCHEIBNER, Jurgen et al. (1993) "Bile Acid Synthesis from Newly Synthesized Vs. Preformed Cholesterol Precursor Pools in the Rat," Hepatology, 17: 1095-1102 | |
| | 35. | Supplementary Partial European Search Report mailed August 17, 2005, for European patent application no. EP 03749756.7, filed September 15, 2003, 6 pages | |

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

| | | |
|--------------------|--|-----------------|
| Examiner Signature | | Date Considered |
|--------------------|--|-----------------|

sf-2056926